

17364 U.S. PTO  
08/20/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. D6150CIP/D  
Anticipated Classification of this application:  
Class: 514 Subclass: 458000  
Prior application: Examiner: Maier, L.C.  
Art unit: 1623

MS PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

03970 U.S. PTO  
10/644418  
08/20/03

Sir:

This is a request for filing a divisional application under 37 CFR 1.53(b), of pending prior application USSN 09/502,592 filed on February 11, 2000, entitled **Tocopherols, Tocotrienols, Other Chroman and Side Chain Derivatives and Uses Thereof**, which is a continuation-in-part of USSN 09/404,001, filed on September 23, 1999, now issued as USPN 6,417,223, which claims benefit of priority of USSN 60/101,542, filed on September 23, 1998, now abandoned.

1. X Enclosed is a new specification, claims and drawings containing no new matter, including the declarations as originally filed.
2. X Small entity status under 37 CFR 1.9 and 1.27(d) was established in the prior application and such status is still proper and desired (37 CFR 1.28(a)).
3. X The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW

<u>For:</u>	<u>No. filed</u>	<u>No. extra</u>
Basic Fee		
Total claims*	20 = <u>30</u>	<u>10</u>
Indep. claims*	3 = <u>4</u>	<u>1</u>

0 Multiple Dependent Claim Presented

<u>Fees for Small Entity</u>		or	<u>Fees for other than a small entity</u>	
<u>Rate</u>	<u>Fee</u>		<u>Rate</u>	<u>Fee</u>
	\$375.00	or		\$
<u>1</u> x \$42	= \$ 42.00	or	<u>      </u> x \$	= \$ <u>      </u>
<u>10</u> x \$ 9	= \$ 90.00	or	<u>      </u> x \$	= \$ <u>      </u>
+ \$	= \$ <u>      </u>	or	+ \$	= \$ <u>      </u>
TOTAL	\$507.00	or	TOTAL	\$ <u>      </u>

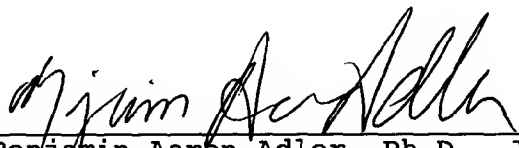
4. X The Commissioner is hereby authorized to charge the \$507 filing fee and any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1185.
5. X Claims 1 and 2-13, 15-25 and 30 correspond to original claims 3 and 4-15, 5-15 and 20. Claims 26-28 correspond to original claims 18-20. Claims 14 and 29 correspond to new claim 21 added by Examiner's Amendment to parent application U.S.S.N. 09/502,592. Original claims 1-2 and 16-17 have been deleted. No new matter is contained in any of claims 1-30. (At least one original independent claim is retained for filing purposes.)
6. X This application is a divisional application of USSN 09/502,592, filed on February 11, 2000, now allowed.
7.     Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by \$1.138 and before payment of issue fee.)
8. X Figures 1, 2A-2B, 3A-3F, 4A-4B, 5A-5B, 6, 7A-7D, 8, and 9A-9C are enclosed on 21 sheets.
9.     Priority of application serial no.     filed on in    , is claimed under 35 U.S.C. 119.
- The certified copy of the priority application has been filed in prior application serial no.
10. a. X With respect to the prior copending U.S. application from which this application claims benefit under 35 U.S.C. §120, the inventor(s) in this application are the same.
- b. X The inventorship for all the claims in the application are the same
11. X The prior application is assigned of record to Research Development Foundation (Reel/Frame 012276/0848).
12. X The power of attorney in the prior application includes Benjamin Aaron Adler, Ph.D., Registration No. 35,423.
- a. X The power appears in the original papers in the prior application in the form of a Combined Declaration and Power of Attorney (copy enclosed).
- b.     Since the power does not appear in the original papers, a copy of the Power in the prior application is enclosed.

c. X Address all future communications to:

Benjamin Aaron Adler (713) 270-5391  
ADLER & ASSOCIATES BADLER1@houston.rr.com  
8011 Candle Lane  
Houston, Texas 77071

13.      A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in prior application.)
- a.      A Supplemental Oath [1.67(b)(1)] for new claims is enclosed.
14.      The sequence listing is enclosed, including a paper copy, a copy on disk for the computer readable form and a compliance letter indicating that the sequence listing on the paper copy and the disk are one and the same.
15.      Enclosed is an Information Disclosure Statement and 14 references

August 19, 2003  
Date

  
Benjamin Aaron Adler, Ph.D., J.D.  
Registration No. 35,423  
Attorney for Applicant

ADLER & ASSOCIATES  
8011 Candle Lane  
Houston, Texas 77071  
(713) 270-5391  
BADLER1@houston.rr.com

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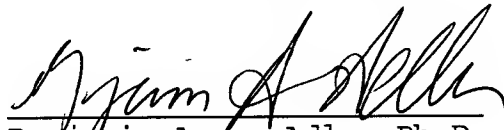
CERTIFICATE OF EXPRESS MAILING  
UNDER 37 CFR 1.10

I hereby certify that this divisional transmittal and the documents referred to as attached therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service as Express Mail No. EV330326154US in an envelope addressed to: MS PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Please return the enclosed postcard acknowledging receipt of this correspondence.

Respectfully submitted,

DATE: 20 August 2003

  
Benjamin Aaron Adler, Ph.D, J.D.  
Registration No. 35,423

ADLER & ASSOCIATES  
8011 Candle Lane  
Houston TX 77071  
(713)270-5391  
BADLER1@houston.rr.com